

such settlement agreement, as supplemented by the letter, the employer does not have and has waived all claims for restitution, recoupment, or setoff against Mr. Clemens.

ORDER

IT IS, THEREFORE, ORDERED that the joint Motion for Court Approval of Settlement and Dismissal with Prejudice is **ALLOWED**, the confidential settlement agreement is incorporated herein by reference, **APPROVED**, and placed under **SEAL** which shall remain in effect after disposition of the case, L.R. 5.1(D)(4), and this actions is **DISMISSED WITH PREJUDICE**.

Signed: September 1, 2005

Dennis L. Howell

Dennis L. Howell
United States Magistrate Judge

